

Senate File 587

S-3134

1 Amend Senate File 587 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 425.17, subsection 2, Code 2021, is
5 amended to read as follows:

6 2. a. "*Claimant*" means either any of the following:

7 (1) A person either filing a claim for credit or
8 reimbursement under this subchapter who ~~has attained the age~~
9 ~~of sixty-five years on or before December 31 of the base year~~
10 ~~or who~~ is totally disabled and was totally disabled on or
11 before December 31 of the base year or filing a claim for
12 reimbursement under this subchapter who has attained the age of
13 sixty-five years on or before December 31 of the base year and
14 who is domiciled in this state at the time the claim is filed or
15 at the time of the person's death in the case of a claim filed
16 by the executor or administrator of the claimant's estate.

17 (2) A person filing a claim for credit or reimbursement
18 under this subchapter who has attained the age of twenty-three
19 years on or before December 31 of the base year or was a head
20 of household on December 31 of the base year, as defined in
21 the Internal Revenue Code, but has not attained the age or
22 disability status described in ~~this paragraph "a",~~ subparagraph
23 (1) or the age status and eligibility criteria of subparagraph
24 (3), and is domiciled in this state at the time the claim is
25 filed or at the time of the person's death in the case of a
26 claim filed by the executor or administrator of the claimant's
27 estate, and was not claimed as a dependent on any other
28 person's tax return for the base year.

29 (3) A person filing a claim for credit under this subchapter
30 who has attained the age of sixty-five years on or before
31 December 31 of the base year, who has a household income of
32 less than two hundred fifty percent of the federal poverty
33 level, as defined by the most recently revised poverty income
34 guidelines published by the United States department of health
35 and human services, and is domiciled in this state at the time

1 the claim is filed or at the time of the person's death in the
2 case of a claim filed by the executor or administrator of the
3 claimant's estate.

4 *b.* "Claimant" under paragraph "a", ~~subparagraph (1) or (2),~~
5 includes a vendee in possession under a contract for deed and
6 may include one or more joint tenants or tenants in common.
7 In the case of a claim for rent constituting property taxes
8 paid, the claimant shall have rented the property during any
9 part of the base year. In the case of a claim for property
10 taxes due, the claimant shall have occupied the property during
11 any part of the fiscal year beginning July 1 of the base year.
12 If a homestead is occupied by two or more persons, and more
13 than one person is able to qualify as a claimant, the persons
14 may each file a claim based upon each person's income and rent
15 constituting property taxes paid or property taxes due.

16 Sec. 2. Section 425.23, subsection 1, paragraph a,
17 unnumbered paragraph 1, Code 2021, is amended to read as
18 follows:

19 The tentative credit or reimbursement for a claimant
20 described in [section 425.17, subsection 2](#), paragraph "a",
21 ~~subparagraphs subparagraph (1) and (2), if no appropriation is~~
22 ~~made to the fund created in [section 425.40](#)~~ shall be determined
23 in accordance with the following schedule:

24 Sec. 3. Section 425.23, subsection 1, Code 2021, is amended
25 by adding the following new paragraph:

26 NEW PARAGRAPH. *c.* The tentative credit for a claimant
27 described in [section 425.17, subsection 2](#), paragraph "a",
28 subparagraph (3), shall be the greater of the following:

29 (1) The amount of the credit under the schedule specified
30 in paragraph "a" of this subsection as if the claimant was a
31 claimant as defined in [section 425.17, subsection 2](#), paragraph
32 "a", subparagraph (1), filing for a credit under paragraph "a"
33 of this subsection.

34 (2) The difference between the actual amount of property
35 taxes due on the homestead during the fiscal year next

1 following the base year minus the actual amount of property
2 taxes due on the homestead during the first fiscal year for
3 which the claimant filed a claim for a credit calculated under
4 this paragraph "c" and for which the property taxes due on the
5 homestead were calculated on an assessed valuation that was
6 not a partial assessment and if the claimant has filed for the
7 credit calculated under this paragraph "c" for each of the
8 subsequent fiscal years after the first credit claimed.

9 Sec. 4. Section 425.23, subsection 4, paragraph a, Code
10 2021, is amended to read as follows:

11 a. For the base year beginning in the 1999 calendar year
12 and for each subsequent base year, the dollar amounts set
13 forth in ~~subsections~~ subsection 1, paragraphs "a" and "b", and
14 subsection 3 shall be multiplied by the cumulative adjustment
15 factor for that base year. "*Cumulative adjustment factor*" means
16 the product of the annual adjustment factor for the 1998 base
17 year and all annual adjustment factors for subsequent base
18 years. The cumulative adjustment factor applies to the base
19 year beginning in the calendar year for which the latest annual
20 adjustment factor has been determined.

21 Sec. 5. Section 425.24, Code 2021, is amended to read as
22 follows:

23 **425.24 Maximum property tax for purpose of credit or**
24 **reimbursement.**

25 ~~In~~ For claimants under section 425.17, subsection 2,
26 paragraph "a", subparagraphs (1) and (2), and for the
27 calculation under section 425.23, subsection 1, paragraph "c",
28 subparagraph (1), in any case in which property taxes due or
29 rent constituting property taxes paid for any household exceeds
30 one thousand dollars, the amount of property taxes due or rent
31 constituting property taxes paid shall be deemed to have been
32 one thousand dollars for purposes of this subchapter.

33 Sec. 6. Section 425.39, subsection 1, as amended by 2021
34 Iowa Acts, House File 368, section 33, if enacted, is amended
35 to read as follows:

1 1. The elderly and disabled property tax credit fund is
2 created. There is appropriated annually from the general fund
3 of the state to the department of revenue to be credited to the
4 elderly and disabled property tax credit fund, from funds not
5 otherwise appropriated, an amount sufficient to implement this
6 subchapter for credits for property taxes due for claimants
7 described in section 425,17, subsection 2, paragraph "a",
8 ~~subparagraph~~ subparagraphs (1) and (3).

9 Sec. 7. APPLICABILITY. This Act applies to claims under
10 chapter 425, subchapter II, filed on or after January 1, 2022.>

11 2. Title page, by striking lines 1 through 7 and inserting
12 <An Act relating to the elderly property tax credit and
13 including applicability provisions.>

SARAH TRONE GARRIOTT